

Exhibit A

Westlaw.

Not Reported in F.Supp.

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Not Reported in F.Supp., 1977 WL 1363 (E.D.Mich.), 23 Fed.R.Serv.2d 990, 1977-1 Trade Cases P 61,299
(Cite as: **Not Reported in F.Supp.**)

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Toilet Seat Antitrust Litigation

In re Toilet Seat Antitrust Litigation

Not Reported in F.Supp., 1977 WL 1363
(E.D.Mich.), 23 Fed.R.Serv.2d 990, 1977-1 Trade
Cases P 61,299

United States District Court, E.D. Michigan,
Southern Division.

In Re Toilet Seat Antitrust Litigation.
Master File No. 75-184

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75-184

Filed February 22, 1977

KEITH, D. J.

**Order Denying Motion to Compel Production of
Financial Statements**

*1 Defendants in this action have filed a motion pursuant to Rule 37 of the Federal Rules of Civil Procedure to **Compel Production** of Plaintiffs' Current **Financial** Statements for defendants' inspection. It is the stated position of defendants that such information is relevant in determining plaintiffs' adequacy to act as class representatives.

Having read and considered the briefs of counsel in this matter, this Court remains persuaded by the reasoning of the court in *Sanderson v. Winner* [1974-2 TRADE CASES P 75,369], 507 F. 2d 477 (10th Cir. 1974), cert. denied, 421 U. S. 914 (1975) and is of the opinion that under the circumstances which exist in the case at bar, an extensive inquiry into the financial capability of the plaintiffs is not a necessary prerequisite to assure that plaintiffs meet the requirement of adequate representation stated in **Rule 23** of the Federal Rules of Civil Procedure. This Court, thus, concludes that defendants have failed to establish the relevance of this proposed inquiry to the question of adequacy of representation.

It Is Therefore Ordered that Defendants' Motion to **Compel Production** of Plaintiffs' Current **Financial** Statements be, and hereby is, denied.